

Notice of Allowability

Application No.

10/693,843

Examiner

Abdulahakim Nobahar

Applicant(s)

MCDERMOTT, JOHN P.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/01/2006.
2. ☒ The allowed claim(s) is/are 1-18, 20, 23 and 26-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 1-18, 20, 23 and 26-28 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The primary reasons for the allowance of the independent claims 1, 11, 18 and 23 are the inclusion of the following limitations that are not found in the prior art and they are uniquely distinct features. The closest prior art is DeTreville (2004/0015694 A1). DeTreville discloses a method for authentication between an open system (i.e., a public accessible computer system) and a portable IC device. DeTreville further discloses that a secure communication channel between the open system and the portable IC device that contains protected information is established and the application(s) desiring to access this information authenticates itself to the portable IC device.

However, this art fails to anticipate or render the following limitations:

"Claim 1: wherein if a deceptive interpreter is not present, the means for processing information retrieves and executes the at least one security check program, evaluates the results of the security check program, and transmits the results of the security check program, and a cryptographically generated authentication value to the source,

wherein if a deceptive interpreter is present, the computer processor will not retrieve and execute the security check program and will not transmit a correct authentication value to the source,

and wherein an incorrect or absent authentication value indicates the presence of a deceptive interpreter.”

“Claim 11: if a deceptive interpreter is not present, the CPU retrieves and executes the at least one security check program, evaluates the results of the security check program, and transmits the results of the security check program, and a cryptographically generated authentication value to the source,

if a deceptive interpreter is present, the computer processor will not retrieve and execute the security check program and will not transmit a correct authentication value to the source,

and wherein an incorrect or absent authentication value indicates the presence of a deceptive interpreter.”

“Claim 18: wherein if a deceptive interpreter is not present, the processor means retrieves and executes the at least one security check program, evaluates the results of the security check program, and transmits the results of the security check program, and a cryptographically generated authentication value to the source,

wherein if a deceptive interpreter is present, the processor means will not retrieve and execute the security check program and will not transmit a correct authentication value to the source,

and wherein an incorrect or absent authentication value indicates the presence of a deceptive interpreter.”

“Claim 23: wherein if a deceptive interpreter is not present, the computer processor retrieves and executes the at least one security check program, evaluates the results of the security check program, and transmits the results of the security check program, and a cryptographically generated authentication value to the source,

wherein if a deceptive interpreter is present, the computer processor will not retrieve and execute the security check program and will not transmit a correct authentication value to the source,

and wherein an incorrect or absent authentication value indicates the presence of a deceptive interpreter.”

3. The dependent claims 2-10, 12-17, 20 and 26-28 are allowed because they were originally found to include a unique feature not found in the closest abovementioned art.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 19, 2006

Abdulhakim Nobahar
Examiner
Art Unit 2132

A.N.

Gilberto Barron Jr.

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